

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

CASE NUMBER: 2:06 CR 63

VIKRAM S. BUDDHI

Defendant.

MOTION TO CONTINUE TRIAL

Comes now the defendant, Vikram Buddhi, by counsel, John E. Martin, and moves the court for an order continuing the jury trial currently scheduled for October 10, 2006. In support of this motion, the defense states as follows:

1. That the defendant is charged by way of indictment filed on April 19, 2006 with 11 counts including threats against the President under 18 U.S.C. section 871(a).
2. Trial by jury is currently scheduled for October 10, 2006.
3. On July 28, 2006, the defense filed a motion to continue the trial by jury requesting a period of no less than sixty (60) days.
4. Counsel for the defense does not believe its' analysis of the computer information involved in this case can be completed in time for trial October 10, 2006.
5. The defense believes an additional continuance of at least two weeks would allow the defense to complete its computer analysis and thereby be ready for trial.

6. Counsel for the defense has discussed the need for this continuance with counsel for the government, and counsel for the government concurs with counsel for the defense that a continuance is necessary.
7. The defense understands that the delay in proceeding to trial, occasioned by a continuance granted in response to this request, will be excluded time for purposes of calculating a trial setting under the Speedy Trial Act and the U.S. Constitution.
8. The ends of justice served by granting this request for continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, the defendant, by counsel, moves for an order continuing the trial currently set for October 10, 2006 for a period of no less than fourteen (14) days as convenient with the court's calendar.

Respectfully submitted,

Northern District of Indiana
Federal Community Defenders, Inc.

By: s/John E. Martin
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CERTIFICATE OF SERVICE

I hereby certify that, on August 15, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/CM/ECF system which sent notification of such filing to the following:

Philip Craig Benson
philip.benson@usdoj.gov

and I hereby certify that I have mailed the document by U.S. Postal Service to the following non CM/CM/ECF participants:

s/ John E. Martin